IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2829 of 1998

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

CHOTILA GRAM PANCHAYAT

Versus

PRESIDENT

Appearance:

MR PRADEEP PATEL for Petitioner No. 1

MR HS MUNSHAW for Respondent No. 1-2

..... for Respondent No. 3-6

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 08/04/2004

ORAL JUDGEMENT

1. The petitioner Panchayat has challenged the decision of the Appellate Committee of the District Panchayat under section 58 of the Panchayats Act whereby the decision of the petitioner Gram Panchayat was set aside and reinstated the respondent nos.3 to 6 who were

removed as members of Panchayat on the ground that they were absent. This Court, while admitting the matter, has stayed the order of the District Development Officer, and the respondents were restrained from conducting election in respect of those seats.

2. Mr. Munshaw for the respondent Panchayat states that the term of the Panchayat is five years and therefore by now the petition has become infructuous by efflux of time.

3. Accordingly the petition stands disposed of as having become infructuous. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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